

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING

OF
TUESDAY, MAY 6, 1986
AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Struiksma at 10:23 a.m. The meeting was recessed by Deputy Mayor Struiksma at 12:04 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Struiksma at 2:08 p.m. with Council Members Cleator, McColl, and McCarty not present.

Deputy Mayor Struiksma recessed the meeting at 3:08 p.m. to convene the Special Joint Council/Redevelopment Agency meeting. Deputy Mayor Struiksma reconvened the meeting at 3:44 p.m. with all members of the Council present.

City Manager Murray announced that implementation of the street name change from Market Street to Dr. Martin Luther King, Jr., Way will begin as soon as possible starting at the west end of Market Street and working east. The actual signs to be printed will read, "Dr. M. L. King Way," with "Way" in small letters. The new signs will be placed above the old signs. These dual signs will remain in place for at least six months, after which time the old signs will be removed. City Manager Murray also announced that a review of Don Harrison's operations for the past year has been completed, and a summary report has been prepared. This report is available to anyone free of charge.

Deputy Mayor Struiksma adjourned the meeting at 4:03 p.m. into Closed Session on Monday, May 12, 1986, at 1:30 p.m. in the twelfth floor conference room to discuss matters pertaining to Meet and Confer.

ATTENDANCE DURING THE MEETING:

- (M) Vacant
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Cleator-present
 - (3) Council Member McColl-present
 - (4) Council Member Jones-present
 - (5) Council Member Struiksma-present
 - (6) Council Member Gotch-present
 - (7) Council Member McCarty-present
 - (8) Council Member Martinez-present
- Clerk-Abdelnour (bb;mp)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Vacant
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksmma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-present

ITEM-330:

Two actions relative to the Park Boulevard (University Avenue to El Cajon Boulevard) Underground Utility District: (Park North-East Community Area. District-3.)

Subitem-A: (R-86-1761) ADOPTED AS RESOLUTION R-265641
Establishing the Park Boulevard (University Avenue to El Cajon Boulevard) Underground Utility District.

Subitem-B: (R-86-1762) ADOPTED AS RESOLUTION R-265642
Authorizing the expenditure of an amount not to exceed \$4,500 from CIP-37-028, Federal Revenue Sharing Fund 18014, for the purpose of administering the Underground Utility District, minor City Force work and other related work.

CITY MANAGER REPORT: The proposed district will underground the overhead utility facilities on Park Boulevard between University Avenue and El Cajon Boulevard. This is a scheduled project in the Calendar Year 1987 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 14, of which 6 are single-family residential properties, and 8 are commercial or multi-family properties. A typical cost range for a licensed contractor to perform this conversion work on residential private property is \$600 to \$1,100. Conversion costs on commercial properties may vary from \$600 to several thousand dollars or more, due to differences in service size and location. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners

based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 86793.

FILE: STRT K-159

COUNCIL ACTION: (Tape location: A016-033.)

Hearing began at 10:24 a.m. and halted at 10:25 a.m.

MOTION BY McCOLL TO ADOPT. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-331:

Two actions relative to the Prospect Place (Roslyn Lane to Torrey Pines Road) Underground Utility District:
(La Jolla Community Area. District-1.)

Subitem-A: (R-86-1765) ADOPTED AS RESOLUTION R-265643
Establishing the Prospect Place (Roslyn Lane to Torrey Pines Road) Underground Utility District.

Subitem-B: (R-86-1766) ADOPTED AS RESOLUTION R-265644
Authorizing the expenditure of an amount not to exceed \$5,000 from CIP-37-028, Federal Revenue Sharing Fund 18014 for the purpose of administering the Prospect Place (Roslyn Lane to Torrey Pines Road) Underground Utility District, minor City Force work and other related work.

CITY MANAGER REPORT: The proposed district will underground the overhead utility facilities on Prospect Place between Roslyn Lane and Torrey Pines Road. This is a scheduled project in the Calendar Year 1987 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 29, of which 23 are single-family residential properties, and 6 are commercial or multi-family properties. A typical cost range for a licensed contractor to perform this conversion work on residential private property is \$600 to \$1,100. Conversion costs on commercial properties may vary from \$600 to several thousand dollars or more, due to differences in service size and location. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds

(Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench.

A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 86794.

FILE: STRT K-158

COUNCIL ACTION: (Tape location: A034-040.)

Hearing began at 10:25 a.m. and halted at 10:26 a.m.

MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-332:

Proposal to amend Chapter X (Planning and Zoning Regulations), Sections 101.0620 through 101.0625 of the San Diego Municipal Code by revising the existing fence ordinance. These revisions include updating existing regulations by adding requirements for various fence types, including sound attenuation walls, and altering fence height standards.

Subitem-A: (R-86-1827) ADOPTED AS RESOLUTION R-265645

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-85-0822 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-86-160) INTRODUCED, TO BE ADOPTED MAY 19, 1986

Introduction of an Ordinance amending the San Diego Municipal Code.

FILE:

Subitem A MEET;

Subitem B --

COUNCIL ACTION: (Tape location: A040-619.)

Hearing began at 10:27 a.m. and halted at 11:05 a.m.

Testimony in favor by Rory Ann Leeper-Hutchinson, Peter A. Larkin, D. Price, and John B. Clark.

Testimony in opposition by Richard J. Haack, Jr.

Motion by Wolfsheimer to support the Planning Commission recommendations, Attachment 1, to permit a 6-foot solid fence in front yards (3 solid and 3 open) and delete the use of chain link fences in front yards except by variance or when living materials would fully cover them. Second by McColl. No vote taken.

Motion by Gotch to allow 6-foot fences in front yards but not solid to the top and allow an open fence on the upper half provided that wire mesh was either vinyl-clad or color coded. No second.

Motion by Wolfsheimer to adopt the recommendations of the Board of Zoning Appeals. Second by McColl. Failed by the following vote: Yeas-1,3,7. Nays-2,4,5,6,8. Vacant-M.

Motion by Gotch to adopt the recommendations of the Transportation and Land Use Committee, Attachment 2, with direction to committee to 1) reconsider the use of living materials (hedges, bushes, etc.) which would be considered solid fences, and 2) develop a fence permit process that would be regulated by the Building Inspection Department, especially for fences in front yards that are going to be 6 feet or more in height. No second.

Motion by Gotch to adopt the recommendations of the Planning Commission, Attachment 1. Second by Martinez. Failed by the following vote: Yeas-3,4,6,8. Nays-1,5,7. Not present-2. Vacant-M.

Motion by Gotch to reconsider previous motion. Second by Martinez. Passed by the following vote: Yeas-2,3,4,6,8. Nays-1,5,7. Vacant-M.

MOTION BY GOTCH TO ADOPT THE RECOMMENDATIONS OF THE TRANSPORTATION AND LAND USE COMMITTEE, ATTACHMENT 2, WITH DIRECTION TO COMMITTEE TO 1) RECONSIDER THE USE OF LIVING MATERIALS (HEDGES, BUSHES, ETC.) WHICH WOULD BE CONSIDERED SOLID FENCES, AND 2) DEVELOP A FENCE PERMIT PROCESS THAT WOULD BE REGULATED BY THE BUILDING INSPECTION DEPARTMENT, ESPECIALLY FOR FENCES IN FRONT YARDS THAT ARE GOING TO BE 6 FEET OR MORE IN HEIGHT. Second by Martinez. Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksma-nay, Gotch-yea, McCarty-nay, Martinez-yea, Mayor-vacant.

ITEM-333:

Matters concerning real property located east of I-805 between Lusk Boulevard and Rancho Los Penasquitos (approximately 58.84 acres), in Zone A-1-10, in the Mira

Mesa Community Plan area. The subject property is further described as Parcel 3 of Parcel Map PM-13841 and a portion of Lot 3, Section 4, Township 15 South, Range 3 West, SBBM.

1) Rezoning the above-described real property from Zone A-1-10 to Zones M-1A and M-1B;

2) Appeals of McKellar Development of La Jolla, by Christopher S. McKellar, President, from the decision of the Planning Commission in denying:

- a) Planned Industrial Development PID-85-0631 which proposes to utilize a portion of the previously approved Pacific Corporate Center as a Manufacturing Light Industrial, Research and Development corporate headquarters office and supply commercial center located on the above-described real property; and
- b) Tentative Map TM-85-0631 (McKellar Corporate Center) which proposes a 13-lot subdivision located on the above-described real property.

19860506

Subitem-A: (R-86-1805) ADOPTED AS RESOLUTION R-265646

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0631, Addendum to EIR-83-0378, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-86-172) INTRODUCED, TO BE ADOPTED MAY 19, 1986

Introduction of an Ordinance for M-1A and M-1B Zoning.

Subitem-C: (R-86-2171) ADOPTED AS RESOLUTION R-265647

Adoption of a Resolution granting or denying the appeal and the permit with appropriate findings to support Council actions.

Subitem-D: (R-86-2172) ADOPTED AS RESOLUTION R-265648

Adoption of a Resolution granting or denying the appeal and the map with appropriate findings to support Council actions.

Subitem-E: (R-86-2173) ADOPTED AS RESOLUTION R-265649

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to

California Public Resources Code Section 21081 in
connection with Environmental Impact Report EIR-85-0631,
Addendum to EIR-83-0378.

FILE:

Subitems A and E ZONE ORD NO.;

Subitem B --;

Subitem C PERM PID-85-0631;

Subitem D SUBD

McKellar Corporate Center

COUNCIL ACTION: (Tape location: A620-B220.)

Hearing began at 11:05 a.m. and halted at 11:25 p.m.

Council Member Wolfsheimer left at 11:10 a.m.

Council Member Wolfsheimer entered at 11:12 a.m.

Testimony in favor of appeal by Karl Zobell, Doug Boyd, and Kim
Kilkenny.

MOTION BY CLEATOR TO ADOPT SUBITEM A, INTRODUCE SUBITEM B, ADOPT
SUBITEM C GRANTING THE APPEAL AND PERMIT, SUBITEM D GRANTING THE
APPEAL AND MAP, AND SUBITEM E. Second by Gotch. Passed by the
following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea,
Mayor-vacant.

ITEM-334:

Matters of:

- 1) Rezoning Lot 3, College Grove Center, Map-3589
(approximately 2.03 acres), located on the north side of
College Grove Drive between College Grove Way and College
Avenue, from Zones MR-3000 (of the Mid-City Planned
District) and R1-5000 to Zone CA;
(Case-85-0747)
- 2) An amendment to the Mid-City Planned District concerning
the deletion of a 1.82-acre portion (zoned MR-3000) of the
above described real property from the Mid-City Planned
District; and
- 3) An amendment to the Mid-City Community Plan concerning
the redesignation of the 2.03-acre site from low-medium
density residential to commercial use and a revision to the
Transportation Element resulting from the redevelopment of
College Grove Shopping Center.
(District-3.)

19860506

Subitem-A: (R-86-1988) ADOPTED AS RESOLUTION R-265651

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0747, in connection with the rezoning of Lot 3, College Grove Center, Map-3589, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-86-177) INTRODUCED, TO BE ADOPTED MAY 19, 1986

Introduction of an Ordinance for CA Zoning.

Subitem-C: (O-86-182) INTRODUCED, TO BE ADOPTED MAY 19, 1986

Introduction of an Ordinance amending the Mid-City Planned District ordinance.

Subitem-D: (R-86-2023) ADOPTED AS RESOLUTION R-265652

Adoption of a Resolution amending the Mid-City Community Plan, to become effective when the amendment to the General Plan Map is adopted at the next omnibus hearing.

Subitem-E: (R-86-2180) ADOPTED AS RESOLUTION R-265653

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-85-0747.

NOTE: See Item 601 on the Docket for the Special Joint Meeting of May 6, 1986 and the Redevelopment Agency Agenda of May 6, 1986 for companion items.

FILE:

Subitem-A & -E - ZONE ORD. NO.

Subitem-B & C --;

Subitem-D - LAND -

Mid-City Community Plan

COUNCIL ACTION: (Tape location: E222-F143.)

Hearing began at 3:08 p.m. and halted at 3:44 p.m.

Testimony in favor by William J. Stone.

Testimony by Chris Shinall.

MOTION BY McCOLL TO CLOSE THE HEARING, INTRODUCE THE ORDINANCES, AND ADOPT THE RESOLUTIONS. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-S403: (R-86-2021) ADOPTED AS RESOLUTION R-265650

Authorizing the execution of an exclusive negotiation and right of entry agreement with the Sheraton Corporation for a period expiring July 1, 1987, or upon execution of a lease agreement, whichever occurs first, authorizing the City Manager to negotiate with Sheraton for a proposed long-term lease of City property adjacent to the Torrey Pines Golf Course for the development and operation of a 400-room resort hotel and related facilities.

(See City Manager Report CMR-86-186. University Community Area. District-1.)

COMMITTEE ACTION: Reviewed by PFR on 4/23/86. Recommendation to forward the Sheraton exclusive negotiation and right-of-way agreement to the City Council with no recommendation. Districts 5, 6, and 7 voted yea. District 1 voted nay. District 2 not present.

FILE: LEAS Sheraton Corporation LEASFY86-1

COUNCIL ACTION: (Tape location: B230-261.)

MOTION BY GOTCH TO ADOPT. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-S405: (O-86-193) INTRODUCED, TO BE ADOPTED MAY 19, 1986

Introduction of an Ordinance amending the Annual Salary Ordinance to create the positions of Director and Assistant Director of Binational Affairs.

FILE: --

COUNCIL ACTION: (Tape location: F175-338.)

MOTION BY McCOLL TO INTRODUCE THE ORDINANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-nay, Mayor-vacant.

ITEM-S406: (O-86-192) FIRST PUBLIC HEARING HELD

(Continued from the meeting of April 28, 1986, Item S409,

at the City Attorney's request.)

First public hearing in the matter of:

Amending the Annual Appropriation Ordinance by adding the newly created Department of Binational Affairs; providing the sum of \$16,650 for associated personnel and non-personnel expenses.

NOTE: The second public hearing for the introduction and adoption of the Ordinance will be on Tuesday, May 6, 1986. See Item S501.

FILE: --

COUNCIL ACTION: (Tape location: F341-354.)

ITEM-S500: (R-86-2257) ADOPTED AS RESOLUTION R-265654

19860506

(Continued from the meeting of April 28, 1986, Item 150, at Council Member Jones' request.)

Discussion in the matter of the feasibility of acquiring the Sears property on Cleveland Avenue for a new Central Library.

(See the memorandum from Coleman Conrad dated 4/16/86; City Manager Report CMR-86-171; Planning Department Report PDR-86-178. Uptown Community Area. District-2.)

COMMITTEE ACTION: Initiated by PSS on 4/16/86. Recommendation to forward to Council without recommendation for discussion on 4/28/86 at a time certain. Districts 1, 4, 7 and 8 voted yea. District 3 not present.

FILE: MEET

COUNCIL ACTION: (Tape location: B221-229;B262-C173; D012-E220;F143-174.)

Motion by Cleator to purchase the property. Second by Gotch.

No vote taken at a.m. meeting.

Motion by Gotch to direct staff to report to the T&LU Committee within four to six weeks with alternatives on how to address the properties surrounding the Sears site to insure compatible development with respect to protecting the pedestrian ambience on the south side of University Avenue all the way between Richmond Street and Highway 163. Second by Martinez. Passed by the following vote: Yeas-1,2,3,4,5,6,7,8. Nays-None. Not Present-None. Mayor-vacant.

MOTION BY CLEATOR TO ACQUIRE THE SITE, USING THE \$5.2M FROM THE TELECOMMUNICATION SYSTEM PROJECT WITH THE DIFFERENCE, IF NEEDED, COMING FROM THE SETTLEMENT WITH SDG&E. IN ADDITION, STAFF IS DIRECTED TO: (1) BRING BACK TO COUNCIL LANGUAGE FOR A ZONING REGULATION THAT WILL PROVIDE FOR THE DEVELOPMENT GUIDELINES AND

REVIEW PROCESS TO COVER THOSE PARCELS INVOLVED, AND (2) BE PREPARED TO COME FORWARD WITH THE NECESSARY STAFFING LEVEL FOR THIS PROJECT DURING THE BUDGET REVIEW SESSION WHICH BEGINS NEXT WEEK, AND IF POSSIBLE, INCLUDE THE PERSON WHO PREPARED THE REPORT AS A MEMBER OF THIS GROUP. STAFF IS DIRECTED TO BEGIN WORK WITH THE COMMUNITY GROUP TO DEVELOP A MASTER PLAN AS SOON AS POSSIBLE. Second by Gotch. Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-yea, Jones-nay, Struiksma-nay, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-S501: (O-86-192) TRAILED TO MAY 12, 1986, 2:00 P.M.

Introduction and adoption of an Ordinance amending the Annual Appropriation Ordinance by adding therein the newly created Department of Binational Affairs; providing the sum of \$16,650 for associated personnel and non-personnel expenses.

NOTE: See Item S406 on the Supplemental Docket of May 5, 1986.

FILE: --

COUNCIL ACTION: (Tape location: A007-015.)

TRAILED TO THE COUNCIL MEETING OF MAY 12, 1986, AT 2:00 P.M. FOR SECOND HEARING AT THE REQUEST OF THE CITY MANAGER.

ITEM-UC-1: (R-86-2183) ADOPTED AS RESOLUTION R-265657

19860506

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member Jones from the Closed Session of Tuesday, May 6, 1986, for the purpose of meeting with a representative of National City regarding Route 252.

FILE: MEET

COUNCIL ACTION: (Tape location: F418-424.)

MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy Mayor Struiksma at 4:03 p.m.

FILE: MEET

COUNCIL ACTION: (Tape location: F430).